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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No. 3:20-cr-00431-MO

Plaintiff,

DECLARATION OF
BRYAN FRANCESCONI IN SUPPORT
OF UNOPPOSED MOTION TO
CONTINUE TRIAL DATE

v.

NICHOLAS JOSEPH BANTISTA,

Defendant.

I, Bryan Francesconi, declare:

1. I am the attorney appointed to represent Nicholas Joseph Bantista in the above-entitled case.
2. A jury trial in this case is currently scheduled for February 16, 2021. Mr. Bantista was arraigned on September 21, 2020. This is the second continuance sought by the defense.
3. Mr. Bantista is currently in custody at FDC Sheridan.

4. Mr. Bantista has been extensively negotiating this case with the goal of convincing the government of the equities of a dismissal. While the logistics of the negotiation have taken longer than anticipated, Mr. Bantista is optimistic a dismissal is a real possibility. Mr. Bantista therefore respectfully requests that this Court continue his case for a period of approximately 90 days to May 18, 2021, or a date thereafter convenient to the Court to complete this process.

5. I have discussed with Mr. Bantista his right to a speedy trial. He agrees to the continuance and knows it will result in excludable delay under the provisions of 18 U.S.C. § 3161(h)(7)(A) of the Speedy Trial Act. Assistant United States Attorney Natalie White has no objection to this motion.

6. I make this motion in good faith and not for the purpose of delay.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on February 2, 2021 in Portland, Oregon.

/s/ Bryan Francesconi
Bryan Francesconi
Assistant Federal Public Defender